

Judge Cullen Opposes New Constitution

Power It Allows to Military Tribunals He Regards as Menace to Nation.

Union Labor's Rights in Peril, He Asserts

Mr. M. Cullen, formerly Chief Justice of the Court of Appeals, and now in private practice as senior of the Brooklyn law firm of Cullen & Dykman, announced himself yesterday as determinedly opposed to the adoption of the new Constitution recently framed under the presidency of Elihu Root.

While approving many of the changes from the provisions of the old Constitution, Judge Cullen finds, nevertheless, in the failure of the convention to include in the bill of rights a provision forbidding military tribunals, and in the rights of the daily constituted and competent civil courts a sin of omission, "the approval of which would be a great public calamity."

In the course of an extensive printed address dealing with the refusal of the Constitutional Convention properly to safeguard the rights and liberty of citizens against authority usurped by military courts, Judge Cullen, while arguing most temperately, expresses astonishment that the framers of the new Constitution should have disregarded the experience furnished by military courts in regard to the perils to liberty which surely would result in this and other States if the New York Constitution failed positively to prohibit military courts from exercising jurisdiction over a civilian unless engaged in military or naval service while the regularly constituted State courts are open to administer justice.

Wickham's Articles Studied.

The records of the convention were examined carefully by Judge Cullen, who gave also close attention to the explanatory articles supplied to THE SUN by George W. Wickham, and in his opinion Mr. Wickham's articles, in his opinion, were of great value in the convention failed to perceive that the action of the convention has raised an issue to be passed upon by the people that far transcends any disputes as to the relative merits or defects of the proposed Constitution.

Acts of 1912 Criticized.

Judge Cullen then discusses the western state of affairs resulting from the action of military courts in West Virginia in 1912, when men were convicted by military tribunals and sentenced to years of imprisonment for offenses for which the civil courts were empowered by law to inflict far less punishment, and to the fact that the military tribunals were constituted in violation of the Constitution of that State. Such decisions as were given by the military tribunals were not subject to appeal, and the military tribunals were not subject to the supervision of the civil courts.

Some Points Are Sound.

"I do not deny," Judge Cullen concludes, "that there are advantages in the present constitution which I should not wish to see lost. But if there was nothing else involved I should support many of them. The present constitution, however, is a mixture of expediency, not of principle. It may be that they would secure greater efficiency, but it is not the case when it is purchased at the expense of liberty. Whatever may be the merits of the new Constitution, its action of the convention, whatever may be said to minimize the question involved, this thing is certain: That if the constitution is rejected at the coming election the next bill of rights will contain the provision against military courts that the convention has rejected. Reject this constitution and the doctrine of the West Virginia decisions will be followed by no other court in this country."

Jump of 1,000 Fold in Assessing Personal Property of Some of 17,497 Corporations on New Tax List Prepared

MILLS THINKS INFLATION OF TAX LIST IS FUTILE

Senator Points to Failure in Part in Criticizing Mayor Mitchell.

State Senator Ogden L. Mills, chairman of the joint legislative committee appointed at the last session to investigate the operation of State tax laws, is of the opinion that the Mitchell administration's action in boosting the tentative assessed valuations on personal property for 1915 to \$3,704,305,965 from the final assessment of \$859,640,140 for 1914 is unwise and will not produce the desired results.

Uses Another Illustration.

"Take another illustration," he said, "the plan will succeed in reaching but a very small percentage of the increase. I use this entirely on the experience of the past. It has been true in practically every instance that the greater the amount of valuations placed on the assessment rolls tentatively the greater the amount of the reductions and smaller the amount of taxes collected."

Second Column Shows Jump.

Soon after August 1, however, the vision of a "4,000,000,000 personal assessment" loomed up. New measures for getting evidence of the possession of personal property were suggested. They impressed the Mayor. The Tax Board fell in line. It went to work raising the assessments all through the State. The result is the second column of figures in the personal tax books, which represents the actual assessments as assessed on August 1, 1915.

Years Confusing Effect.

"It is evident from these figures that an arbitrary increase in assessments will not begin to yield a corresponding increase in revenue. The danger of putting a vast amount of property tentatively on the assessment rolls is that it will be lost to the State."

Earthquake at Salt Lake.

Two Severe Shocks Felt There—Oregon Also Feels It.

SALT LAKE CITY, Oct. 3 (Sunday).—Two severe earthquake shocks were felt here just before midnight last night. Windows were shattered in many sections of the city, but no serious damage was reported.

THE SUN TO-DAY CONSISTS OF SEVEN SECTIONS, AS FOLLOWS:

FIRST	General News	14
SECOND	Sports, Automobiles, Kennels	20
THIRD	Society, Drama, Music	16
FOURTH	Pictorial Magazine	8
FIFTH	Special Feature Magazine, Fashions, Art	12
SIXTH	Foreign, Semi-News Articles, Books, Quizzes, Chess, Schools	12
SEVENTH	Real Estate, Gardens, Poultry, Financial, Problems	12
Total		76

River Tubes Bumped Hours by Break

Cracking Axle Blocks Two Tunnels, Stopping Trains for 50,000.

Passengers in Stalled Cars Walk Under Hudson Back to Starting Points.

A busy half of the Hudson tunnel system was tied up practically all last evening, inconveniencing 50,000 persons, when the rear car of a train which had just left the Christopher street station for Hoboken jumped the track. The result was that many thousands of Jersey men who work in Manhattan and many thousands of New Yorkers who labor in Jersey had to hustle for the ferries, and were very, very late for dinner.

Thousands Turned Away.

The half of the system affected was the northern half of tubes which connect Hoboken and Jersey City with Manhattan, and so with the entire Manhattan line under Sixth avenue to thirty-third street. The southern half, composed of the tubes running east and west between Cortlandt street, Manhattan, and Hoboken, was not affected and continued to operate as usual.

Studying Taxation Problem.

Senator Mills is devoting much of his time to a study of the taxation problem, particularly in its relation to personal property, and his report to the next session of the Legislature promises to be most interesting.

Explains "Hate" of England.

Count von Reventlow Says She Is Eternal Enemy.

Berlin, Oct. 2.—The Count von Reventlow, commenting in the Tagesspiegel on the contention of conservative politicians that it is necessary for Germany to vanquish Great Britain completely, says:

Duma to Reconvene Soon.

Will Gather on Oct. 8 Is Reported Current in Petrograd.

Petrograd, Oct. 2.—The members of the Duma will gather on October 8, it is reported from their conference with the czar.

Newport Resorts Closed.

Owners Get Word to Shut Down After Naval Officers' Protest.

Newport, R. I., Oct. 2.—Word was passed among the proprietors of the resorts here tonight that they had better close up and the "lid" went on tight.

Battle Fills Hospitals in Charge of Americans

Wounded From Firing Line in Champagne Tax Resources of Medical Establishment—Bring Thrilling Stories of First Dash Against Trenches.

WALBRON OF FOREIGN LEGION HIT BY SHELL

Special Cable Dispatch to THE SUN. PARIS, Oct. 2.—The first American known to have been wounded in the recent Champagne battle is Andrew Walbron of Boston, N. J., who was struck in the shoulder on the first day of the fighting by fragments of a shell. The wound was not serious. He was taken to a hospital at Reims, in the Department of the Marne.

Second Means Death.

"You've got to be quick in a charge like that. A second shot means death. It speeded about that counts," the soldier added.

Surgeons Have Arduous Task.

Dr. du Bouquet, the chief surgeon, did not leave the operating room Wednesday night until 4 o'clock Thursday morning, and returned to his work three hours later. Dr. Blake left the hospital before the terrible rush began. Unfortunately the Philadelphia unit, had looked to sail on the Chicago, except Dr. Hutchinson, Billings and Keating, who remained and worked with untiring zeal.

All Lights Go Out in Tube.

There was a hiss, a sound of blue flames, and the lights in the Hudson and Manhattan Railroad from Hoboken to Christopher street and on up to Thirty-third street went out. For a moment it seemed as if the world had been brought to a standstill.

Wilson for Suffrage in Jersey, His Friends Say

President's Support of Woman's Cause Indicated by Announcements of Garrison and Tumulty That They Are for the State Amendment.

NO LETUP ON SEAMAN'S LAW.

Redfield Orders Lake Inspectors to Enforce It Strictly.

WASHINGTON, Oct. 2.—The seaman's law, passed at the last session of Congress, will become effective on the great lakes November 1. It will be strictly enforced, according to instructions given to George Elder, head of the steamboat inspection service today by Secretary of the Navy, Joseph D. Daniels.

THE AFTERNOON STATEMENT.

The afternoon statement was as follows: In the Artois district the artillery of the enemy yesterday bombarded very violently our positions to the east of La Fosse.

BIG AIR FLEET MAKES RADON GERMAN LINES

65 French Fliers Drop 300 Bombs on Railroad Communications.

CROWN PRINCE'S BASE CENTRE OF ATTACK

Stations at Vouziers and Challerange Are Damaged.

TEUTON ADVANCE IN LORRAINE STOPPED

A Strong Reconnoitring Force Is Repulsed and Dispersed.

SHELL FIRE TERRIFIC.

Alles Use Five Times as Many as Germans in Champagne.

PARIS, Oct. 1 (Delayed).—A graphic description of the Champagne battle field drawn with dead and wounded, just as it looked during the terrible phase of the struggle, which is continuing, has been written by an American newspaper man who recently was wounded, but who rejoined his battery on the second day of the offensive.

Train Cut in Two.

A further aerial raid was carried out last night, northwest of Lille. Here a moving train was cut in two by the bombardment.

THE AFTERNOON STATEMENT.

The afternoon statement was as follows: In the Artois district the artillery of the enemy yesterday bombarded very violently our positions to the east of La Fosse.

THE AFTERNOON STATEMENT.

The afternoon statement was as follows: In the Artois district the artillery of the enemy yesterday bombarded very violently our positions to the east of La Fosse.

THE AFTERNOON STATEMENT.

The afternoon statement was as follows: In the Artois district the artillery of the enemy yesterday bombarded very violently our positions to the east of La Fosse.